

# ENVIRONMENTAL ASSESSMENT AND RECLASSIFICATION CAPABILITY INVENTORY

**Project Name:** Ryan Riley Break Request

**Proposed Implementation Date:** 2021

**Proponent:** Ryan Riley, Lessee of Ag & Grazing Lease #7735

**Description of Project:** Ryan Riley has proposed the "breaking" or more appropriately spraying out of approximately 342 acres of native sod in Section 16, T32N R13E. The native sod acres are completely surrounded by farm ground and the lessee does not run cattle and has no intention of grazing these acres. Mr. Riley then plans to plant winter wheat in the fall of 2021.

**Type of Reclassification: FROM:** ☒ Grazing    Timber    Ag    Other

**TO:**        Grazing    Timber    ☒ Ag    Other

**ACRES:** 342+-

**Location:** 32N 13E 16, ALL

**County:** Hill

## I. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED: Provide a brief chronology of the scoping and ongoing involvement for this project.

The MT DNRC's Northeastern Land Office (NELO)  
  
Ryan Riley (Ag & Grazing Lessee)  
  
MT Fish Wildlife & Parks  
  
Hill County FSA & NRCS

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

No other agencies have jurisdiction in regard to this proposal.

3. ALTERNATIVES CONSIDERED:

A. No Action  
  
B. Allow Ryan Riley to spray out approximately 342 acres of grazing land and convert them to agriculture acres used for small grain production in Lease #7735.

## II. IMPACTS ON THE PHYSICAL ENVIRONMENT

RESOURCE

[Y/N]

POTENTIAL IMPACTS

N = Not Present or No Impact will occur.

Y = Impacts may occur (explain below)

*LAND CAPABILITY CHARACTERISTICS*

4. GEOLOGY, SOILS AND MINERALS:

Are fragile, compactible or unstable soils present? Are there unusual geologic features? Are there special reclamation considerations? *Are there any mineral characteristics and how would reclassification impact development? If any lands are proposed for breaking, what are the soil types & capability classes, texture, "T" factor, Wind Erodibility Group (WEG), and slopes? What crops will be grown and what are their potential yields? Will there be any mitigation measures implemented to address identified soil limitations?*

[ Y ] The soil textures are loam to loam clay. Class 3e soils with a T-factor of 5 make up over 81% of the proposed "breaking" area. Only 18.8% of the soils are Class 6s with a T-factor of 2. All the soils in the proposed "break" area have a WEG of 6. The lessee has proposed to spray out the existing grass stand and directly seed into the acreage without any tillage to mitigate the risk of erosion. The soils are more than 20 inches in depth above bedrock and have slopes between 0-8%. The water table is more than 30 inches below the surface during the growing season. The lessee plans to grow small grains using a no-till system and a summer fallow rotation. The Web Soil Survey application could not provide potential yields for this area, but crops are being grown on all adjacent deeded lands.

<p>6. AIR QUALITY:</p> <p>Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?</p>	<p>[ Y ] There may be some particulates produced during spraying and seeding of the proposed break area. No significant adverse impacts to air quality are anticipated.</p>
<p>7. VEGETATION COVER, QUANTITY AND QUALITY:</p> <p>Will vegetative communities be permanently altered? Are any rare plants or cover types present? <i>What is the existing vegetation?</i></p>	<p>[ Y ] The current vegetative community, which consists of native grasses, will be destroyed by chemical application. The lessee will then plant annual small grain crops for harvest on the proposed acreage. No rare plants or cover types are present in the proposed "break" area.</p>
<p>8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:</p> <p>Is there substantial use of the area by important wildlife, birds or fish? <i>What wildlife resources use or occupy the area?</i></p>	<p>[ Y ] The Species of Concern Report from the Montana Natural Heritage Program indicated there were three species of concern occurrences within 1 mile of Section 16, T32N R13E. These species were the Grizzly Bear, the Great Short-horned Lizard, and the Greater Sage Grouse.</p> <p>The proposed conversion to farming should not directly impact the above-mentioned species of concern. The area that is proposed to be converted to farming does not contain good quality habitat for any of the species of concern noted, including the Greater Sage Grouse. The proposed tract is not located in general or core sage grouse habitat.</p> <p>The local FWP Biologist had this to say regarding this proposal:</p> <p>"I was unable to visit this site but based on aerial photos this site does appear to be native prairie grassland. Based on the Montana Natural Heritage program species of concern observed in the area that may also be found on this parcel include: Brewer's Sparrow, Sprague's Pipit, Long-billed Curlew, and Loggerhead Shrike. Due to the limited amount of surveys in this area, it is likely that other grassland songbird species of concern may be present as well. This parcel is also in an area that has already had significant conversion of native prairie to agricultural production. There is still some native habitat located nearby on Sage Creek that may provide connectivity to the native habitat remaining in this section. The cumulative loss of native habitats in this region does may make further loss of native habitat more significant for native species of concern that utilizes these habitats."</p> <p>The proposed conversion of these native grass acres will have some impact on the local prairie avian species that may traverse this tract. No significant adverse impacts to terrestrial, avian, or aquatic life and habitats are anticipated.</p>
<p>9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:</p> <p>Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Sensitive Species or Species of special concern?</p>	<p>[ Y ] The Species of Concern Report from the Montana Natural Heritage Program indicated there were three species of concern occurrences within 1 mile of Section 16, T32N R13E. These species were the Grizzly Bear, the Great Short-horned Lizard, and the Greater Sage Grouse.</p> <p>The proposed conversion to farming should not directly impact the above-mentioned species of concern. The area that is proposed to be converted to farming does not contain good quality habitat for any of the species of concern noted, including the Greater Sage Grouse. The proposed tract is not located in general or core sage grouse habitat.</p> <p>The proposed conversion of these native grass acres will have some impact on the local prairie avian species that may traverse this tract. No significant adverse impacts to unique, endangered, fragile, or limited environmental resources are anticipated.</p>
<p>10. HISTORICAL AND ARCHAEOLOGICAL SITES:</p>	<p>[ Y ] A Class III cultural and paleontological resources inventory was conducted of the area of potential effect on state land. During the course of</p>

Are any historical, archaeological or paleontological resources present?	inventory one tipi ring-size stone circle was located located. Because the archaeological site cannot be avoided with cultivation, the stone feature will be fully excavated, mapped and documented prior to sod break activities.
11. AESTHETICS:  Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light? Are there notable aesthetic features on the tract?	[ N ] Farmland wholly surrounds the proposed break area. The proposed conversion of the 342 acres of native grass pasture is not anticipated to have a significant adverse impact to the local aesthetics.
12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:  Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project?	[ N ] No demands on limited resources are required for this project. No adverse impacts are anticipated.
13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:  Are there other studies, plans or projects on this tract?	[ N ] There are no other projects or plans being considered on the tract listed on this EA/Capability Inventory.

III. IMPACTS ON THE HUMAN POPULATION	
RESOURCE	[Y/N] POTENTIAL IMPACTS & CAPABILITY CHARACTERISTICS
14. HUMAN HEALTH AND SAFETY:  Will this project add to health and safety risks in the area?	[ Y ] There are some human safety risks associated with the operation of equipment. The proponent and their employees accept these risks.
15. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION:  Will the project add to or alter these activities?	[ Y ] The proposal will convert a native grass pasture, that isn't being grazed, to small grain production. Under grain production the revenue generation will increase to an average of \$30/acre versus the \$3/acre under grazing.
16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:  Will the project create, move or eliminate jobs? If so, estimated number.	[ N ] The proposed activity will not create, move, or eliminate any jobs. No new jobs will be created.  No adverse impacts to the employment market are anticipated.
17. LOCAL AND STATE TAX BASE AND TAX REVENUES:  Will the project create or eliminate tax revenue?	[ N ] There are no direct or cumulative effects to taxes or revenue for the proposed project.
18. DEMAND FOR GOVERNMENT SERVICES:  Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc) be needed?	[ N ] There will be no increases in traffic, no changes in traffic patterns, and no need for additional fire protection, or police services.  No adverse impacts to government services are anticipated.
19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:  Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	[ N ] There are no zoning or other agency management plans affecting these lands.
20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:  Are wilderness or recreational areas nearby or accessed through this tract? Is the land legally accessible and is there recreational potential within the tract?	[ Y ] The proposal will reduce the availability of these acres seasonally as farmed acres are not available for recreation during the growing season. At all other times of the year, this acreage will be available for recreation.  No significant adverse impacts are anticipated.
21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:  Will the project add to the population and require additional housing?	[ N ] The proposal does not include any changes to housing or developments.

	No adverse impacts to population or housing are anticipated.
22. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?	[ N ] There are no native, unique, or traditional lifestyles or communities in the vicinity that would be impacted by the proposal.
23. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?	[ Y ] A Class III cultural and paleontological resources inventory was conducted of the area of potential effect on state land. During the course of inventory one tipi ring-size stone circle was located. Because the archaeological site cannot be avoided with cultivation, the stone feature will be fully excavated, mapped and documented prior to sod break activities.
24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:	[ Y ] The proposal will convert a tame grass pasture, that isn't being grazed, to small grain production. Under grain production the revenue generation will increase to \$30/acre versus the \$3/acre under grazing.

Document Prepared By: Jocee Hedrick Date May 13, 2021

#### IV. ENVIRONMENTAL ANALYSIS FINDING

<p>25. ALTERNATIVE SELECTED:</p> <p>Alternative B: Allow Ryan Riley to spray out approximately 342 acres of grazing land and convert them to agriculture acres used for small grain production in Lease #7735.</p>
<p>26. SIGNIFICANCE OF POTENTIAL IMPACTS:</p> <p>No significant adverse impacts are anticipated from implementing the selected alternative.</p>
<p>27. Need for Further Environmental Analysis:</p> <p><input type="checkbox"/> EIS   <input type="checkbox"/> More Detailed EA   <input checked="" type="checkbox"/> No Further Analysis</p>

<div style="font-family: cursive; font-size: 1.2em; margin-bottom: 5px;">Clive Rooney Area Manager</div> <div style="display: flex; justify-content: space-between; border-top: 1px solid black; padding-top: 5px;"> <span>Name</span> <span>Title</span> </div>	<div style="font-family: cursive; font-size: 1.2em; margin-bottom: 5px;">5-17-21</div> <div style="display: flex; justify-content: space-between; border-top: 1px solid black; padding-top: 5px;"> <span>Signature</span> <span>Date</span> </div>
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V. RECLASSIFICATION RECOMMENDATION AND APPROVAL
<p>28. Land Office Recommendation, including Highest and Best Use:</p> <p>Allow Ryan Riley to spray out approximately 342 acres of native grass pasture and convert them to agriculture acres used for small grain production in Lease #7735.</p>
<p>29. Recommendation by Bureau Chief:</p> <p>Reasons for Recommendation:</p> <div style="border-top: 1px solid black; height: 40px; margin-top: 10px;"></div> <div style="display: flex; justify-content: space-between; border-top: 1px solid black; padding-top: 5px;"> <span>Bureau Chief Signature</span> <span>Date</span> </div>
<p>30. Final Decision on Reclassification by Trust Land Management Division Administrator:</p> <p>Approve</p> <p>Deny</p> <div style="border-top: 1px solid black; height: 40px; margin-top: 10px;"></div> <div style="display: flex; justify-content: space-between; border-top: 1px solid black; padding-top: 5px;"> <span>Signature</span> <span>Date</span> </div>



## Hedrick, Jocce

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**From:** Hedrick, Jocce  
**Sent:** Monday, March 29, 2021 12:29 PM  
**To:** 'Hemmer, Scott'  
**Subject:** Proposed conversions of grazing acres to farming acres on State Trust Lands in Hill County  
**Attachments:** MapMonetteFarmsBreakRequest.pdf; MapRileyBreakRequest.pdf

Hello Scott,

I have received two proposals for converting grazing acres on State Trust Lands to farming. I have attached maps of the proposed "breaks". Both farmers plan to spray out the grass stand and plant winter wheat this fall under a no-till system.

One is a proposal to convert approximately 346 native grass acres to farming. (T32N R13E S16 - Ryan Riley)

The other is a proposal to convert approximately 314 tame grass acres to farming. (T30N R11E S36, W2 & W2SE4 – Monette Farms USA Inc)

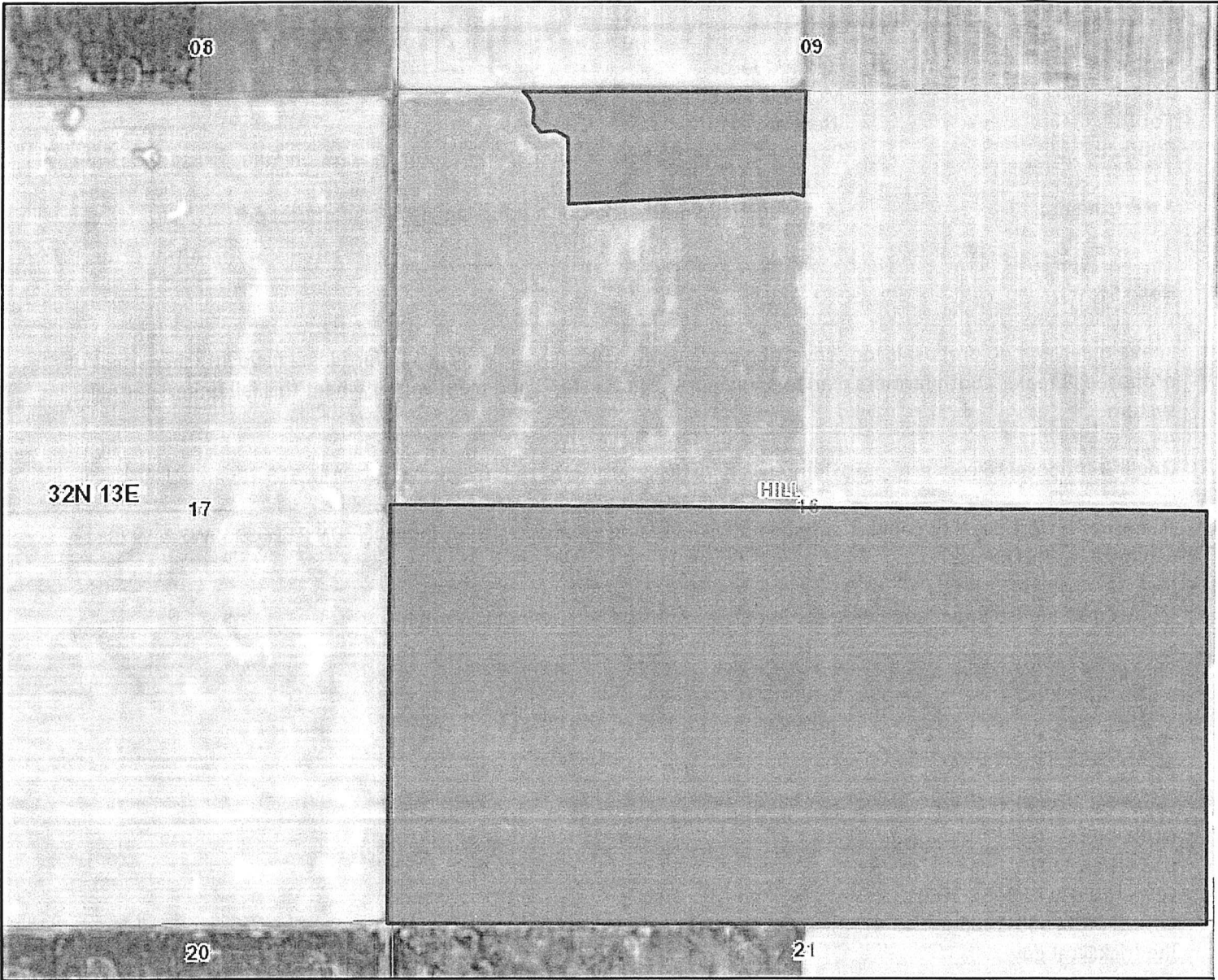
If you could please provide me with comments by April 10<sup>th</sup>, that would be great!

Thanks,

*Jocce Hedrick*

Lewistown Unit Manager  
DNRC-NELO  
613 NE Main St.  
Lewistown MT 59457-1021  
Office: (406) 535-1905  
jhedrick@mt.gov

# Riley Break Request



March 29, 2021

Public Lands (MSDI)

Montana State Trust Lands

PLSS First Division

Section

Protracted Block

PLSS Township

Office Locations

CARDD

★ DNRC Headquarters

● Board of Oil and Gas

● Trust Lands/Forestry

● Water Resources

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## MONTANA FISH, WILDLIFE & PARKS

April 9<sup>th</sup>, 2021

Jocee Hedrick  
DNRC Lewistown Unit Manager  
DNRC-NELO  
613 NE Main ST.  
Lewistown, MT 59457

Jocee-

Thank you for the opportunity to comment on the potential wildlife impacts from conversion of CRP and native range being used for grazing to farming acres. The comments I had were below.

### T30N R11E S36, W2 & W2SE

This parcel appears to be primarily introduced grasses. It is a smaller parcel located in an area where there has been significant conversion of native prairie to agricultural production, however this location is near Lonesome Lake where there is a larger percentage of native grassland habitats. Due to this fact there have been observations of a several species of concern including Baird's Sparrow, Brewer's Sparrow, Sprague's Pipit, Long-billed Curlew, McCown's Longspur, Chestnut-collared longspur, and Loggerhead Shrike. Due to the surrounding habitat and the current status of this habitat as primarily non-native introduced vegetation, the impact of this change of use would have less impact on native species in the area.

### T32N R13E S16

I was unable to visit this site but based on aerial photos this site does appear to be native prairie grassland. Based on the Montana Natural Heritage program species of concern observed in the area that may also be found on this parcel include: Brewer's Sparrow, Sprague's Pipit, Long-billed Curlew, and Loggerhead Shrike. Due to the limited amount of surveys in this area, it is likely that other grassland songbird species of concern may be present as well. This parcel is also in an area that has already had significant conversion of native prairie to agricultural production. There is still some native habitat located nearby on Sage Creek that may provide connectivity to the native habitat remaining in this section. The cumulative loss of native habitats in this region does may make further loss of native habitat more significant for native species of concern that utilizes these habitats.

Sincerely,

Scott Hemmer  
Havre Area Wildlife Biologist, MT FWP

